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## FACSIMILE TRANSMISSION

DATE: JANUARY 19, 2006

PAGE 1 OF: 11

TO: EXAMINER HENRY CHOE

FACSIMILE No.: (571)273-8300

COMMISSIONER FOR PATENTS

FROM: STEVE PERRY

TRANSMITTED BY: SHEILA

OUR DOCKET No.: 20191.PROV.PCT.US

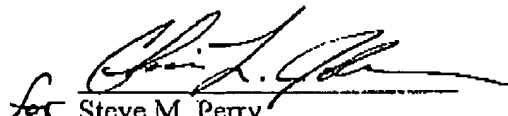
AMERICAN TECHNOLOGY CORPORATION

APPLICATION NUMBER: 10/501,896

CUSTOMER NUMBER 20,551

## REMARKS:

Included are: Transmittal Letter for Response/Amendment  
Response/Amendment (9 Pages)  
Certificate of Mailing

  
for Steve M. Perry  
Registration Number 45,357

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PTO/SB/21 (09-04)

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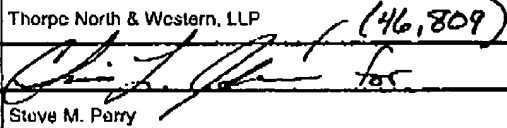
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/501,696
	Filing Date	July 19, 2004
	First Named Inventor	Michael E. Spencer
	Art Unit	2817
	Examiner Name	Henry Choc
Total Number of Pages in This Submission	Attorney Docket Number	20191,PROV.PCT.US

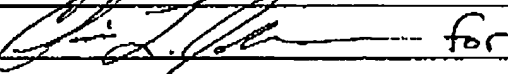
ENCLOSURES (Check all that apply)		
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Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Thorpe North & Western, LLP (46,809)		
Signature			
Printed name	Steve M. Perry		
Date	January 19, 2006	Reg. No.	45,357

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Steve M. Perry	Date	January 19, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT APPLICATION  
ATTORNEY DOCKET NO. 20191.PROV.PCT.US

## IN THE UNITED STATES PATENT &amp; TRADEMARK OFFICE

ART UNIT: 2817

EXAMINER: Henry Choe

APPLICANT: Michael E. Spencer

SERIAL NO.: 10/501,896

CONFIRM. NO.: 8555

FILED: July 19, 2004

FOR: Modulator Amplifier

DOCKET NO. 20191.PROV.PCT.US

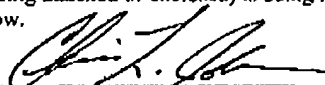
RESPONSE/  
AMENDMENTMail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

In response to the Ex parte Quayle Action, mailed October 19, 2005, Applicant offers the following Amendment and requests reconsideration of the above-captioned application.

**CERTIFICATE OF FACSIMILE UNDER 37 C.F.R. § 1.8**

I hereby certify that this paper or fee (along with any paper or fee referred to as being attached or enclosed) is being facsimile transmitted (Fax: 571-273-8300) under 37 C.F.R. § 1.8 on the date indicated below.

January 19, 2006  
Date of Deposit  
Christopher L. Johnson